IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 12804 of 2004

Between:

Masarapu Devudu @ Sanyasi s/o Krishnamma
Kindra (V), Rajavommangi (M) East Godavari District

..... PETITIONER

AND

1 The Station House Officer Rajavommangi Police Station
Rajavommangi , E.G.District
2 Gampa Nagaraju S/o Narasimhulu
Kindra (V) Rajavommangi (M) E.G.District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ or order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent in not providing protection to the lands of the petitioner situated in Kindra (V) Rajavommangi (M) E.G.District in pursuance of the complaint/representation dt.9/07/2004 made to the 1st respondent as illegal, arbitrary and contrary to law and consequently direct the 1st respondent to take action on the complaint/representation made by the petitioner dt. 9/07/2004.

Counsel for the Petitioner: MR.K.VENKATESH

Counsel for the Respondent No.1: GP FOR HOME

The Court at the stage of admission made the following :

ORDER:

The petitioner seeks a declaration that the alleged in-action on the part of the first respondent in providing protection to his lands situated in Kindra village, Rajavommangi Mandal, East Godavari District, as illegal and arbitrary.

The petitioner states that he was granted 'D' Form patta in respect of Ac.5.14 cents in S.No.23/2C situated in Kindra village, Rajavommangi Mandal, East Godavari District. Apart from that another 'D' form was granted in favour of his wife to an extent of Ac.3.99 cents in S.No.23/2AS and Ac.1.03 cents in S.No.23/2B in the same village. It is stated that since 1984 the petitioner and his wife have been in continuous possession and enjoyment of the said lands. He further states that eviction proceedings have been initiated against him under A.P. Scheduled Areas Land Transfer Regulations and there was an order dated 2-5-2003 by the Special Deputy Collector (TW), Rampachodavaram, directing eviction from the lands in question. Against the said order, the petitioner preferred C.M.A.No.21 of 2003 before the Agent to the Government and the same was dismissed on 13-04-2004. Challenging the same, the petitioner filed W.P.No.9215 of 2004 and while admitting the said Writ petition, in W.P.M.P.No.11843 of 2004 this court by order-dated 25-05-2004 directed both the parties to maintain status quo. The petitioner states that, the said order is still in force. It is alleged that in spite of the order of status quo, the second respondent has been trespassing into his land and also has been attacking the petitioner and his family members with weapons.

The petitioner made a complaint to the first respondent on 09-07-04 requesting him to give police protection. But, the first respondent failed to take any action so far due

to which, he is unable to carry on his agricultural operations. Hence, this Writ Petition.

I have heard the learned counsel for the petitioner and learned Government Pleader for Home appearing for the first respondent. Since the only grievance of the petitioner is that the first respondent failed to take any action on the basis of his complaint dated 9-07-2004, I deem it appropriate to dispose of the Writ Petition with a direction to the first respondent to consider the representation of the petitioner dated 09-07-2004 and to take appropriate steps in accordance with law, if the petitioner is in possession of the lands in question.

The Writ Petition is disposed of accordingly. There shall be no order as to costs.

22nd JULY 2004

BSS/GBS

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Station House Officer Rajavommangi Police Station
   Rajavommangi , E.G.District

2.2CCs to Government Pleader for Home, High Court Buildings

Hyderabad (OUT)

3.2CD copies

*Form-NIC-OGS/WP{**GR**}*